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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1947

No brief filed for petitioners on merits

No. 446

PAUL AHRENS, ET AL.,
Petitioners,

vs.

TOM C. CLARK, ATTORNEY GENERAL OF THE UNITED STATES,
Respondent

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA AND BRIEF IN SUPPORT THEREOF.

JAMES J. LAUGHLIN,
Counsel for Petitioners.

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TOM C. CLARK, ATTORNEY GENERAL OF THE UNITED STATES,

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PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA AND BRIEF IN SUPPORT THEREOF.

To the Honorable Fred M. Vinson, Chief Justice of the Supreme Court of the United States and Associate Justices of the Supreme Court of the United States:

The petitioners, Paul Ahrens, Max Armbruster, Willi Backofen, Paul Bante, Maria Bertelmann, Else Brink, Walter Brink, Karl J. Boehm, Max Blank, Otto Braunger, Albert Brueckner, Alrich Cappelmann, Ernst E. Christoph, Hans Diebel, Hans Doelle, Johann R. Enders, Walter Engelbert, Wilhelm Engelbert, Anna Faller, Xaver Faller, Richard Felis, Walter Feltz, John C. Fitting, Kurt Fries, Luise Fritsch, Rudolf Funk, Paul Geis, Adolf Goelzer, Otto

Grimm, Georg Grytzyk, Rudolf Gudert, Wilhelm Hack, Helene Hackenberg, Rudolf Hackenberg, Robert Hartmann, Albert Haug, Erna Haupt, Heinz Heinzen, Werner Hofling, Hedwig Hohmann, Martin Hohmann, Paul Hohmann, Hermann Hoehn, Kurt Holz, Andreas Heinrich Jans, Hans Juhl, Johannas L. Jung, Wolfgang T. Jung, Wilhelm Kaecher, Joseph Kaiser, Marie Kerling, Julius Kessler, Hans Kippenberg, August Klapproth, Josef Klein, George B. Knaepper, Paul Knauer, Wilhelm Knaup, Fritz Koehler, Hermann Koetter, Mathias Kohler, Hans H. Kohpeiss, Albert Kolb, Bruno Koop, Jr., Bruno Koop, Sr., Alfred Krakau, Heinz Krebs, Joseph Kuehn, Wilhelm Lachnicht, Ernst Lack, Hans Laudage, Alois Lieb, Gotthilf Ludwig, Wilhelm Mank, Elisabeth Meuser, Waldemar Meuser, Gertrud Neubacher, Otto Neubacher, Georg Neuper, Karl Nuernberger, John Oldin, Martin Ortner, Adolph Pacquay, Hans Poehner, Max Rapp, Rosine Rapp, Erich Raubenheimer, Hartwig Reese, Henry Reese, Kasper Rehle, Maximilian Reichel, Werner Reimann, Ludwig Resch, Georg Riemenschneider, Hermann Roehm, Theodore Kurt Roehner, Anna Rubischon, Edwin Rubischon, Anton Ruble, Gerhard Schacht, Peter Schau, Wilhelm Schaumann, Karl Schluckwerder, Hans J. Schmidt, Kurt Schmidt, Bernhard Schmolke, Hans Schnoor, Franz Schrader, Albert Schroeder, Siegfried Schulte, Karl Schweitzer, Kurt Schweitzer, Ernst Schwenk, Hermann Schwinn, Herbert C. Seyfferth, Gerhard Sprenger, Agnes Stephan, Meta Stoehr, Johann Stoll, Walter Sykora, Karl Ueberschoer, Hugo Unrecht, Otto Wagner, Hans E. Weik, Hans Wichers, Johann Wichers, Selma Wichers, Maria Willumeit and Paul Zitzmann, respectfully petition this Court to grant a writ of certiorari to the United States Court of Appeals for the District of Columbia to remove therefrom for review here the record in Case No. 9613, wherein petitioners are appellants and respondent is appellee, and in which case the Court an-

nounced its decision under date of October 30, 1947 dismissing the appeal thereby affirming the action of the District Court of the United States for the District of Columbia.

Basis of Jurisdiction

The jurisdiction of this Court is invoked under Section 240A of the Judicial Code, as amended by the Act of February 13, 1925.

The judgment to be reviewed is the judgment of the United States Court of Appeals for the District of Columbia announced on October 30, 1947.

Summary Statement of Matter Involved

The litigation initiated in the District Court of the United States for the District of Columbia challenges the authority of the Attorney General of the United States to remove from this country the petitioners, who are German Nationals and threatened with deportation as alien enemies. No contention has been made that the persons named have violated any of the immigration laws which would subject them to deportation. The question presented is the right to remove persons who, it is contended, were members of the Nazi party or adhered to the Nazi form of government. It is our contention that since the war, for all intents and purposes, is at an end there is no lawful authority for removing these persons. There has been considerable litigation with respect to this subject matter and the basis of the motion to dismiss filed by the respondent in the United States Court of Appeals for the District of Columbia was to the effect that the matter had already been finally determined. A petition for a writ of *habeas corpus* was filed and same was refused. Under the applicable rules it was contended that pending review of a decision refusing a writ of *habeas corpus* the custody of the prisoners shall not be

disturbed. The District Court took the view that this rule was not applicable in the instant case. The United States Court of Appeals, however, held that it was applicable and granted a stay pending determination by them of the motion to dismiss.

Questions Presented

1. There is no lawful authority for removal of petitioners.

2. A considerable number of the petitioners are not alien enemies and hence could not be removed.

3. When the orders of removal were issued there was no longer a war and the petitioners were no longer alien enemies as required in the Alien Enemy Act.

Reasons Relied upon for Allowance of Writ of Certiorari

There are serious constitutional questions involved in this petition which should be passed upon by this Court. The right of the Government of the United States to remove aliens from our land and to permit them to be sent perhaps to the slave labor camps in the Russian zone of occupation in Germany is revolting to our sense of justice. This Court should determine the question as to whether the war is now at an end and whether the proclamation by the President of the United States is now binding.

The fact that there has been prior litigation with respect to these petitioners is not determinative of the question here.

WHEREFORE, your petitioners respectfully pray:

1. That writ of certiorari issue by this Court directed to the United States Court of Appeals for the District of Columbia commanding that Court to certify and send to this Court for its review and determination a full and complete transcript of the record of all proceedings in

Case No. 9613, *Paul Ahrens, et al.* v. *Tom C. Clark*, Attorney General of the United States.

2. That the judgment of the Court below be reversed by this Court.

3. That your petitioners have such other and further relief in the premises as to this Court may seem just.

JAMES J. LAUGHLIN,
Counsel for Petitioners.

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1947

No. 447

PAUL AHRENS, ET AL.,

Petitioners,

vs.

TOM C. CLARK, ATTORNEY GENERAL OF THE UNITED STATES,

Respondent

BRIEF IN SUPPORT OF PETITION

The United States Court of Appeals for the District of Columbia, on October 30, 1947, granted the motion of the Attorney General to dismiss.

Jurisdiction

The jurisdiction of this Court is invoked under Section 240a of the Judicial Code, as amended by Act of February 13, 1925.

Statement of the Case

A concise statement of the case containing, as petitioners believe, all that is material to the consideration of the questions presented, is set forth in the petition under "Summary Statement of Matter Involved," and is not repeated here.

Argument

Immediately after Pearl Harbor on December 8, 1941, the President issued a proclamation pursuant to Sections

21, 22, 23 and 24 of Title 50 of the United States Code (the Alien Enemy Act) providing in part, as follows:

> "All alien enemies shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by sections 23 and 24 of title 50 of the United States Code, and as prescribed in the regulations duly promulgated by the President."

As a result of the above the petitioners were interned and have been in confinement virtually since the end of 1941.

On July 14, 1945, the President issued Proclamation 2655, providing in part as follows:

> "All alien enemies now or hereafter interned within the continental limits of the United States pursuant to the aforesaid proclamations of the President of the United States who shall be deemed by the Attorney General to be dangerous to the public peace and safety of the United States because they have adhered to the aforesaid enemy governments or to the principles of government thereof shall be subject upon the order of the Attorney General to removal from the United States and may be required to depart therefrom in accordance with such regulations as he may prescribe."

Early in 1919, after the Armistice of the first war and before the ratification of the peace treaty, United States Attorney General Gregory rendered the following opinion:

> "February 5, 1919.
>
> Hon. John L. Burnett, Chairman, Committee on Immigration and Naturalization, House of Representatives, Washington, D. C.
>
> SIR:
>
> At our request you have introduced House Bill No. 14948, the object of which is to provide for excluding and deporting in proper cases persons who, during the

war, have either been convicted of war offenses or interned by Presidential warrant as dangerous alien enemies.

Making allowance for these cases in which voluntary repatriation will be accomplished, there will apparently remain in the internment camps about 1,500 cases of dangerous alien enemies. Of this number the great majority are persons who, during the war, manifested hostility toward this country, and, in our opinion it would be highly dangerous to the safety of the country to permit them ever again to be at large here.

There is no law now on the statute books under which these persons can be excluded from the country, nor under which they can be detained in custody after the ratification of the peace treaty. Unless the bill introduced by you, or one similar in character is passed, it will become necessary on the ratification of peace to set free all of these highly dangerous persons.

In view of the gravity of this situation, we therefore take the unusual course of requesting jointly that you take the necessary steps to secure the immediate consideration and, if possible, passage of this measure by the House of Representatives.

Respectfully,

——— ———,

Attorney General,
The Secretary of Labor."

At the next session of Congress, an act was adopted on May 10, 1920, carrying out the opinion and request of the United States Attorney General. That act provided in part as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That aliens of the following classes, in addition to those for whose expulsion from the United States provision is made in the existing law, shall, upon the warrant of the Secretary of Labor, be taken into his custody and deported in the manner provided in

> Sections 19 and 20 of the Act of February 5, 1917, entitled 'An Act to regulate the immigration of aliens to, and the residence of aliens in, the United States,' if the Secretary of Labor, after hearing, finds that such aliens are undesirable residents of the United States, to wit:
>
> (1) All aliens who are now interned under section 4067 of the Revised Statutes of the United States and the proclamations issued by the President in pursuance of said section under date of April 6, 1917, November 16, 1917, December 11, 1917, and April 19, 1918, respectively."

When the United States Attorney General expressed the opinion that there was "no law now on the statute books under which internees could be excluded from the country," he had before him the Alien Enemy Act, for # 4067 of the Revised Statutes mentioned in the Act of Congress, is that act itself. In saying that these persons could not be "excluded" from the country, he certainly meant "expelled" as well as "denied readmission." Excluded commonly means expelled, and they certainly had to be expelled, before they could be kept out.

This opinion of the United States Attorney General is not relied upon as having any binding effect upon his successors in office. It is submitted, however, to indicate that there is strong justification for the arguments which are presented here.

As to those petitioners who were not aliens, it is our contention that they could not under any circumstances be removed.

It should be made clear that the powers of the Executive with respect to removal are comparable neither to the powers of court-martial, nor to the powers authorizing the punishment of war criminals (see *Kahn* v. *Anderson*, 1921, 255 U. S. 1, 9; *Matter of Yamashita*, 1946, 327 U. S. 1, 9-11, relied on in *United States ex rel. Schlueter* v. *Watkins*,

67 Fed. Supp. 557, at 564). The power of the Executive to direct removal flows exclusively from the Alien Enemy Act of July 6, 1798. The pertinent provisions defining the scope of the Executive's power in that act are to be found in Section 21 of 50 United States Code:

> "Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies."

A study of the congressional debates which preceded the passage of this act in 1798 will establish beyond question that in using the words "declared war" and "hostile nation or government," the legislators had in mind "war in fact" or "actual hostilities" and not a technical "state of war."

When this act was written in the Spring of 1798, two grave problems faced the legislators. One was the tremendous power being asserted over all Europe by the French, a power which even then threatened to spread across the Atlantic and engulf the United States (see *Bas* v. *Tingy*, 1800, 4 Dallas 37, at 40). The other, was the serious internal struggle between the States and the Federal Government for the control of migration of aliens. As Albert Gallatin pointed out during these very debates:

> "• • • by turning to the 9th section of the Constitution, it is found that the migration of such persons (aliens) as any of the States shall think proper to admit, shall not be prohibited by Congress prior to the year 1808."

Thus, on the one hand, there was the desire to give the Executive the power to deal with French nationals in the case of actual hostilities without a declared war. And on the other, there was the recognition that until 1808 the power over aliens rested exclusively with the States, except in the case of a "declared war." So strong was the legislative intent that the Executive should have the power in the case of actual hostilities, and only in such event, that it is most doubtful that the words "declared war" would have ever appeared in the statute but for the constitutional problem existing until 1808.

Albert Gallatin described this dilemma when speaking with respect to a motion of Congressman Sitgreaves. The latter had suggested that the aliens who should be subject to removal should be natives, citizens, etc., of any nation which had "declared hostilities against the United States." Responding to the motion, Albert Gallatin said, at pp. 1581-2 of the Congressional Record for Thursday, May 3, 1798:

> "He would suggest to his colleague that part of the Constitution which might be in the way of this motion. A distinction was made by it between actual hostility and war.
>
> If it had only gone to have made a difference between declared and actual war, by striking out the word "declare," it would have removed the objection. If there be a difference between a state of war and actual hostility, there is also a difference in the relation between alien subjects of a nation with whom we are at war, and those of a nation with whom we are in a state of actual hostility."

Because the legislators finally adopted the phrase "declared war" in order to afford the Federal Government with the necessary constitutional authority, it does not follow that they intended that the Executive should possess

this extraordinary power at times other than "actual hostility" or "war in fact."

That Congress intended this power of the Executive to be coterminous with actual hostilities is demonstrated beyond question by the principal debates. Congressman Otis of Massachusetts, the leading proponent of the bill, spoke of its purpose, as follows:

> "It is proposed by this resolution to give the President the power to remove aliens, when the country from which they came shall threaten an invasion."
>
> • • • • • • •
>
> "Gentlemen talk about a declaration of war. No such thing scarcely ever precedes war. War and the declaration of war come together, like thunder and lightning. Indeed, if France finds she can enfeeble our councils by refraining to declare war, and that we will take no measures of effectual defence until this is done, it is probable she will not declare it, but continue to annoy us at present."

Further indication of the fact that the legislators were thinking of war in terms of actual hostilities was the statement of Congressman Sewall, himself an outspoken opponent of the bill.

> "France, said he (Mr. Sewall), has now done towards the United States what might be considered as hostility. Suppose we pass a law which calls upon the President to act, what ought the President to do? Was he to determine the point whether France has authorized hostilities against the United States?"

Almost conclusive proof that the legislators were aiming to limit the powers of the President is an amendment which Congressman Allen proposed and was thereafter obliged to withdraw.

> "Mr. Allen said, he would move an amendment which would supersede that under consideration, by making

the resolution extend to all aliens in this country. He wished to retain none of the restraints which are in the present resolution."

* * * * * * *

"It did not appear to him necessary to have the exercise of this power depend upon any contingency, such as a threatening of invasion, or war, before it could be exercised. He wished the President to have it at all times. He moved an amendment to this effect, which went to enable the President to remove at any time the citizen of any foreign country whatever, not a citizen, regarding the treaties with such countries."

That the legislators intended that war as included in the Alien Enemy Act should be "war in fact" and not a technical "state of war" is conclusively established by their failure to adopt those very terms. They were proposed in a motion by Congressman Sewall to define those aliens who should be subject to the liabilities of this act as those of a government

"between which and the United States shall exist a state of war."

Congressman Otis strongly opposed this definition of "war" on the ground that it might not permit the use of the power in a case of actual hostilities apart from a state of war. He had previously stated:

"* * * that in a time of tranquillity, he should not desire to put a power like this into the hands of the Executive; but in a time of war, the citizen of France ought to be considered and treated and watched in a very different manner from citizens of our own country."

Were there any question as to the intent of the legislators at that time, the Court is respectfully referred to James

Madison's report on the Virginia Resolutions, which is quoted from by Judge Rifkind in the *Schlueter* case at 67 Fed. Supp. 564, as follows:

> "* * * much confusion and fallacy have been thrown into the question, by blending the two cases of aliens, members of a hostile nation, and aliens, members of friendly nations."

In the light of this record, there can be no doubt that Congress in passing the Alien Enemy Act and in using the words "declared war" and defining who were subject to removal as natives, etc., of a "hostile government or nation" were granting the Executive these extraordinary powers solely during times of actual hostilities or "war in fact" and not during the tranquillity of a theoretical "state of war."

This undoubtedly was what lead United States Attorney General Gregory to the conclusion expressed in his opinion to Congress after the first war. The reasons for adopting his view are even more compelling after this war. Unlike the Armistice of the first war, in this war the termination of hostilities was carried out as follows:

> "We the undersigned, acting by authority of the German High Command, hereby surrender unconditionally to the Supreme Commander, Allied Expeditionary Force and simultaneously to the Soviet High Command all forces on land, sea, and in the air who are at this date under German control." (Official Text, Act of Military Surrender, May 7, 1945.)

The military surrender was followed by a Presidential Proclamation reading in part as follows:

> "By the President of the United States of America
> A Proclamation
>
> The Allied armies, through sacrifice and devotion and with God's help, have won from Germany a final

and unconditional surrender." (The Dept. of State Bull., Vol. XII, No. 307, p. 886, May 13, 1945).

On June 5, 1945, the Department of State of the United States Government, officially declared the total demise of the German State in a proclamation reading in part as follows:

"DEPARTMENT OF STATE

June 5, 1945.

No. 480

Confidential Release for Publication at 11:00 A. M., E. W. T., Tuesday, June 5, 1945. Not to Be Previously Published, Quoted from or Used in Any Way.

Declaration

regarding the defeat of Germany and the assumption of supreme authority with respect to Germany by the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic.

The German armed forces on land, at sea and in the air have been completely defeated and have surrendered unconditionally and Germany, which bears responsibility for the war, is no longer capable of resisting the will of the victorious Powers. The unconditional surrender of Germany has thereby been effected, and Germany has become subject to such requirements as may now or hereafter be imposed upon her.

There is no central Government or authority in Germany capable of accepting responsibility for the maintenance of order, the administration of the country and compliance with the requirements of the victorious Powers.

It is in these circumstances necessary, without prejudice to any subsequent decisions that may be taken

respecting Germany, to make provision for the cessation of any further hostilities on the part of the German armed forces, for the maintenance of order in Germany and for the administration of the country, and to announce the immediate requirements with which Germany must comply.

The Representatives of the Supreme Commands of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom and the Provisional Government of the French Republic, will hereafter determine the boundaries of Germany or any part thereof and the status of Germany or of any area at present being part of German territory."

On October 29, 1945, the Allied Control Council for Germany issued Proclamation No. 1 and No. 2 with respect to its powers and activities over Germany and German nationals. These proclamations read in part, as follows:

"PROCLAMATION No. 1
To the People of Germany

* * * * * * *

I

As announced on 5 June, 1945, supreme authority with respect to Germany has been assumed by the Governments of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom, and the Provisional Government of the French Republic.

II

In virtue of the supreme authority and powers thus assumed by the four Governments the Control Council has been established and supreme authority in matters affecting Germany as a whole has been conferred upon the Control Council.

* * * * * * *

Done at Berlin, 30 August, 1945.

DWIGHT D. EISENHOWER,
General of the Army

B. H. ROBERTSON,
Lt. Gen.
Deputy for:

BERNARD L. MONTGOMERY,
Field Marshal

L. KOELTZ,
General de Corps d'Armee

pour P. KOENIG
General de Corps d'Armee

G. ZHUKOW,
Marshal of the Soviet Union"

. . . . . .

"PROCLAMATION No. 2

. . . . . .

Section III

5. The Allied Representatives will regulate all matters affecting Germany's relations with other countries. No foreign obligations, undertakings or commitments of any kind will be assumed or entered into by or on behalf of German authorities or nationals without the sanction of the Allied Representatives.

6. The Allied Representatives will give directions concerning the abrogation, bringing into force, revival or application of any treaty, convention or other international agreement, or any part of provision thereof, to which Germany is or has been a party.

7. (a) In virtue of the unconditional surrender of Germany, and as of the date of such surrender, the diplomatic, consular, commercial and other relations of the German State with other States have ceased to exist.

(b) Diplomatic, consular, commercial and other officials and members of service missions in Germany of countries at war with any of the four powers will be dealt with as the Allied Representatives may prescribe. The Allied Representatives may require the withdrawal from Germany of neutral diplomatic, consular, commercial and other officials and members of neutral service missions.

(c) All German diplomatic, consular, commercial and other officials and members of German service missions abroad are hereby recalled. The control and disposal of the buildings, property and archives of all German diplomatic and other agencies abroad will be prescribed by the Allied Representatives.

8. (a) German nationals will, pending further instructions, be prevented from leaving German territory except as authorized or directed by the Allied Representatives.

(b) German authorities and nationals will comply with any directions issued by the Allied Representatives for the recall of German nationals resident abroad, and for the reception in Germany of any persons whom the Allied Representatives may designate."

In view of the foregoing proclamation and in view of the official declaration of the Department of State previously quoted, declaring the complete demise of the German Government, the cessation of actual hostilities and the assumption of supreme authority by the Allied Powers as to every function of the former German Government, it is respectfully submitted that not later than October 29, 1945, the political branch of the United States Government had ended the war with Germany so far as the Alien Enemy Act of 1798 is concerned.

By the time the majority of the petitioners were issued orders of removal there was neither any "hostile nation or government" of which they were natives or citizens, nor any such entity against which the United States could any

longer be at war within the purport of the Alien Enemy Act.

In this connection, particular emphasis is placed on the Presidential Proclamation of May 8, 1945, stating that there had been won "from Germany a final and unconditional surrender." In other words, the President has made "public proclamation of the event" (see Section 21, Title 50, U. S. C. A.), that so far as Germany is concerned, no further act of war or peace can be done. The capitulation is final. When this extraordinary event was followed by the official proclamation of the United States Department of State that the four Powers were assuming all functions of the extinct German Government, the political branch of the Government has most certainly declared an end to the war as provided in the Alien Enemy Act.

This aspect of political action is emphasized because it has been the practice of the courts in cases dealing with the Alien Enemy Act to avoid the issue of war termination by stating that this is a political question.

For example, in *United States ex rel. Hack* v. *Clark* (C. C. A. 7th 1947), 159 F. (2d) 552, it is stated:

> "Whether the country from whence he came is still at war with the United States or is still in existence as a sovereign power is not for any court to say; that is a political question to be answered only by those branches of our Government charged with the responsibility of political decisions, namely, the executive and legislative branches. *Jones* v. *United States*, 137 U. S. 202, 11 S. Ct. 80, 34 L. Ed. 691; *Citizens Protective League v. Clark, supra.*"

There is no disagreement with the principle asserted in this line of decisions. On the other hand, where the political branch of the Government has taken the steps proclaiming the final defeat, the complete demise and the substitution of its own power in the place of the hostile nation or govern-

ment, that action compels judicial recognition in the application of a statute such as the Alien Enemy Act.

We believe that the cases of *United States* v. *Uhl*, 137 F. (2d) 898, and *United States ex rel. Hack* v. *Clark*, (C. C. A. 7th 1947), 159 F. (2d) 552, are points for the proposition that *habeas corpus* is the proper remedy in this case.

We also ask that this Court consider in this case the case of *Von Heymann* v. *Watkins*, 159 F. (2d) 650. In that case the Second Circuit Court held in effect that a reasonable opportunity to depart from the United States must be given and as yet there has been no determination of reasonable time.

Conclusion

It is contended that in the interest of justice that the orders for removal of the German Nationals involved in this suit be annulled and set aside. Wherefore, it is respectfully submitted that a writ of certiorari should issue as prayed.

JAMES J. LAUGHLIN,
National Press Building,
Counsel for Petitioners.